

RE: TIEDE V. COLLIER 1:23-CV-1004-RP

1

YOUR HONOR, HON. "ROBERT PITMAN"
SIR:

MY NAME IS RICHARD CHUBA # 2498581
I AM A T.D.C.J.-I.D. INMATE AND FOUND
TIEDE V. COLLIER C.V. # 1:23-CV-1004-RP
ON MY TABLET LAW LIBRARY APP.

I AM SENDING YOU A GRIEVANCE THAT
I WAS "FORCED" TO FILE FOR FEAR OF MY
DEATH AND OTHERS HOUSED AROUND ME.

AT THE TIME I WAS HOUSED AT THE
T.D.C.J.-I.D. HOLIDAY UNIT IN HUMSTUCK
TEXAS. THE HOLIDAY UNIT CONSISTS OF
SILVER METAL SHOP TYPE BUILDINGS
WITH "NO WINDOWS", THE ONLY AIR
CIRCULATION IS PROVIDED BY 3 PHASE,
HIGH VOLTAGE EXHAUST FANS THAT
PULL THE HOT AIR TRAPPED INSIDE
OF THE BUILDING OUTSIDE AND ALLOWS
FOR AIR CIRCULATION. (MANY OF THE
EXHAUST FANS AT HOLIDAY DO NOT WORK)!
T.D.C.J.-I.D. FORCING US TO LIVE IN
THESE HOT METAL BUILDINGS IN
THE DEAD OF SUMMER WITHOUT

THE FEDERAL BUILDING CODE A.S.M.E./
H.V.A.C. "MANDATORY" VENTILATION
SYSTEM! (ITS NO DIFFERENT THAN
LOCKING US IN A HOT CAR IN THE
DEAD OF SUMMER WITH THE WINDOWS
ROLLED UP)! (THEY ARE KNOWINGLY AND
WILLINGLY PLACING OUR LIVES IN
DANGER)! THIS IS CRIMINAL NEGLIGENCE!
THESE BUILDINGS CAN EASILY REACH 120° F
WITHOUT THE CODE EXHAUST FANS,

ON 6-16-24 I FILED A GRIEVANCE
CONCERNING THE BROKEN EXHAUST FANS AND
EXTREMELY DORMATORY TEMPERATURES INFORMING
THE GRIEVANCE ^{COORDINATOR} THAT DANGEROUS SITUATION
DEMANDS THEIR IMMEDIATE ATTENTION
(SEE ENCLOSED GRIEVANCE, EXHIBIT # 1).
BUT SHE RAN THE CLOCK ON MY
GRIEVANCE FOR 40 ADDITIONAL DAYS, THEN
ON 7-26-24 (THE MIDDLE OF SUMMER)
SHE FILED FOR A 40 DAY EXTENSION,
ON 8-20-24 (84 DAYS AFTER FILING
MY INITIAL GRIEVANCE) ASST. WARDEN
L. ASHWORTH FINALLY RESPONDING TO

3.

MY GRIEVANCE (84 DAYS OF
EXTREME SUMMER HEAT AND
THE EXHAUST FANS ARE STILL
BROKEN)! THIS IS CRIMINAL.
THE HOLLIDAY UNIT HAS "NO" WINDOWS
AND THE EXHAUST FANS ARE "CODE",
(A.S.M.F. / H.V.A.C. CODE).

IT IS ILLEGAL FOR WARDEN
ASHWORTH (OR ANY LOVING PERSON)
TO FORCE US TO LIVE IN THESE
MODERN DAY TORTURE DEVICES WITHOUT
THE FEDERALLY MANDATED (MANDATORY)
VENTILATION SYSTEMS DESIGNED TO
REMOVE THE HOT AIR OF THE BUILDING.

THERE ARE 54 MEN IN A-4
DORM, THERE NEEDS TO BE 54
COUNTS OF CRIMINAL NEGLIGENCE
FILED AGAINST WARDEN ASHWORTH
ALONG WITH OFFICIAL OPPRESSION
AND DELIBERATE INDIFFERENCE
USING BOTH HIS SIGNATURE AND HIS
RESPONSE TO MY GRIEVANCE.

84 DAYS WITHOUT ONCE
ATTEMPTING TO ADDRESS THIS

4.

EXTREMELY DANGEROUS AND LIFE
THREATENING ENVIRONMENT THAT
WAS THE DIRECT RESULT OF DELIBERATE
INDIFFERENCE! THIS IS ILLEGAL!

I AM NO LONGER AT THE HOLLIDAY
UNIT BUT THE FAN WAS NEVER
FIXED! IT'S BEEN ALMOST 5
MONTHS SINCE I FILED MY
GRIEVANCE AND I GUARANTEE YOU
THAT TO DATE THE "MANDATORY"
GOVERNMENT BUILDING CODE SYSTEM
IS STILL BROKEN AND 54 MEN
ARE STILL BEING FORCED TO LIVE
IN THAT DEATH CHAMBER...

CAN YOU SAY "ADOLPH HITLER"
WITH ALL DUE RESPECT, WHAT'S
THE DIFFERENCE, THEY ARE
KNOWINGLY AND WILLINGLY
TRYING TO KILL US...

IN ENCLOSING A SECOND GRIEVANCE
DATED 5-24-24 (EXHIBIT # 2.)

5.

THIS GRIEVANCE WAS FILED TO ADDRESS THE HORRIBLE AND DEPLOREABLE THIRD WORLD LIVING CONDITIONS AT THE HOLIDAY UNIT TO INCLUDE LIVING QUARTER THAT ARE FLOODED WITH SEWER WATER 24 HOURS A DAY, 7 DAYS A WEEK. POISONOUS SEWER GAS VENTING TO THE INDOOR ATMOSPHERE AND OTHER MAJOR SAFETY AND HEALTH VIOLATIONS.

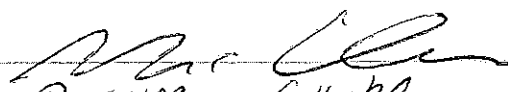
PLEASE ADD ME AS A WITNESS AND/OR "PLAINTIFF" TO TRADE V. COLLIER CU, -1004-RP.

"THEY ARE TRYING TO KILL US..."

"UNSWORN DECLARATION"

I, RICHARD CHUBA #2498581 DECLARE UNDER PENALTY OF PERJURY THAT ALL OF THE INFORMATION ON THIS BRIEF IS TRUE AND CORRECT

EXECUTED ON THIS 28TH DAY OF OCTOBER 2024


RICHARD CHUBA.

Texas Department of Criminal Justice



STEP 1

OFFENDER
GRIEVANCE FORM

EXHIBIT # 1.

D2-35

Offender Name: RICHARD CHUBA

TDCJ #2498581

Unit: HOLLIPAY

Housing Assignment: A4-19

Unit where incident occurred: HOLLIPAY

OFFICE USE ONLY

Grievance #:

2024116685

Date Received:

JUN 18 2024

Date Due:

07-28-24

Grievance Code:

522/598

Investigator ID #:

I2525

Extension Date:

07-26-24

Date Ret'd to Offender:

OCT 15 2024

need
@cm

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? M. WISS, MAINTENANCE I DON'T CARE When? 6-6-24

What was their response? ~~NO RESPONSE~~ I HAVE OTHER SHIT TO DO.

What action was taken? NONE

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

* CRUEL & UNUSUAL PUNISHMENT, OFFICIAL OPPRESSION, CRIMINAL NEGLIGENCE.

IT IS MID JUNE, THE EXHAUST FAN IN A-4 DOES NOT WORK, THIS A.S.M.E. / H.V.A.C. COPEL SYSTEM WAS A "MANDATORY" COMPONENT IN THE DESIGN AND CONSTRUCTION OF THIS FACILITY, (IT REMOVES THE HOT AIR TRAPPED IN THIS BUILDING). YOU "CANNOT" HOUSE US IN THESE BUILDINGS, IN THESE EXTREM TEMPERATURES WITHOUT EXHAUST FANS THAT MEET OR EXCEED A.S.M.E. / H.V.A.C. BUILDING CODES, TO DO SO NOT ONLY CONSTITUTES CRUEL AND UNUSUAL PUNISHMENT BUT IT'S CRIMINAL NEGLIGENCE. (THE SYSTEM IS FACTUALLY MANDATED IN THE CONSTRUCTION OF THIS BUILDING AND "NOT" AN OPTION, IT IS "MANDATORY" ...

YOU DO UNDERSTAND THAT IF ONE OF US DIES FROM HEAT EXHAUSTION AND THIS GRIEVANCE IS DISCOVERED IT WILL BECOME "CRIMINALLY NEGLIGENCE HOMICIDE" A FELONY!

THIS GRIEVANCE DEMANDS YOUR IMMEDIATE ATTENTION. (YOU CANNOT RUN THE CLOCK ON THIS GRIEVANCE AS YOU DO EVERY OTHER GRIEVANCE THAT RUNS ACROSS YOUR DESK. TO DO SO IS "CRIMINAL NEGLIGENCE". THE 4:00 PM TEMPERATURE IN OUR DORM EASILY EXCEEDS 110° F. THIS IS NOT LEGAL, ITS CRUEL & UNUSUAL PUNISHMENT. "FLIP" →

YOUR HONOR. THEY RAN THE CLOCK ANYWAY THEN DID "NOTHING" TO FIX THIS "MANDATORY" SYSTEM

ANY. REASONABLE PERSON CAN SEE THIS, ITS JUNE AND THE TEMPERATURES HAVE BEEN EXTREMELY HOT, 98° PLUS.

P.S. A RESPIT ROOM IS "NOT" A SUBSTITUTE FOR A FULLY MAINTAINED COOL SYSTEM, PLUS, MOST OF THE TIME WE ARE DENIED ACCESS TO RESPIT!

WE ARE NOT ALUMINUMS. PLEASE LOG THE 4:00 PM TEMPERATURE OF A-4 DORM. JUN 18 2024

Action Requested to resolve your Complaint.

REPAIR OUR HVAC COOL EXHAUST FAN OR MOVE THE REMAIN DORM

Offender Signature: [Signature]

Date: 6-16-2024

Grievance Response:

Your complaint has been investigated. Information obtained by this office indicates a work order was opened to address the defective fan. Records confirmed you were transferred to another unit, with your transfer, any issues you had while at the Holliday unit no longer exists. No further action warranted.

Asst. Warden L. Ashworth

84 DAYS LATER AND STILL

NOT FIXED.

THEY DONT CARE IF WE DIE ---

Signature Authority: [Signature]

Date: 8/20/24

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. *
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

-127 Back (Revised 11-2010)

OFFICE USE ONLY

Initial Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

2nd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

3rd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____



STEP 1 OFFENDER GRIEVANCE FORM

EXHIBIT #2

Offender Name: RICHARD CHUBA TDCJ # 2498581
Unit: HOLIDAY Housing Assignment: C4
Unit where incident occurred: HOLIDAY D235

OFFICE USE ONLY

Grievance #: 2024108294
Date Received: MAY 29 2024
Date Due: 07.08.24
Grievance Code: 522
Investigator ID #: IDS25
Extension Date: 08.17.24
Date Retd to Offender: OCT 15 2024
hcd@cm

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? WROTE TO MR. BICKFORD "SAFETY" When? 5-23-24
What was their response? HE REFUSES TO ACKNOWLEDGE MY COMPLAINTS
What action was taken? THE CAM CONTINUES TO BE KICKED DOWN THE ROAD...

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

THIRD WORLD LIVING QUARTER'S AND FILTH / T.C.F.Q. VIOLATIONS,
UNIFORM STANDARD PLUMBING CODE VIOLATION AND NATIONAL FIRE CODE
VIOLATIONS, INHUMAN LIVING QUARTER, BUILDING CODE VIOLATIONS,
IT WOULD BE VERY DIFFICULT FOR "ANY" COMPETENT PERSON TO ENTER
ANY DORM AT THIS THIRD WORLD FACILITY AND NOT WITH A MAJOR T.C.F.Q.
VIOLATIONS, UNIFORM STANDARD PLUMBING CODE VIOLATIONS AND EVEN
FIRE CODE VIOLATIONS (THE SAFETY, HEALTH AND ENVIRONMENTAL ISSUES
AT THIS FACILITY ARE ALMOST TO BAD TO BELIEVE).

FOR WEEKS THERE HAS BEEN A CONSTANT FLOOD OF SEWER WATER POURING
IN FROM C4 PIPE CHASE FLOODING 27-28, 29-30 BUNKS AND
THE DAY ROOM, WE LIVE IN A 54 MAN DORM, 75% OF THE PLUMBING
IS "NOT FUNCTIONAL"! WE HAVE ONLY "ONE" (1) WORKING TOILET,
"ONE" (1) WORKING URINAL AND 3 HALF WORKING SINKS (FOR
54 MEN); ONE SHOWER & "NO" RESPIR SHOWER.

THE UNIFORM STANDARD PLUMBING CODE VIOLATIONS AT THIS FACILITY
VIOLATE BOTH STATE AND FEDERAL LAWS & STATUTES. (WELL ESTABLISHED
STATE & FEDERAL LAW PROHIBITS YOU FROM HOUSING US IN THESE INHUMAN
THIRD WORLD LIVING QUARTERS.

ON A GOOD DAY YOU CAN SMELL SEWER GAS (METHANE & H2S) INSIDE
OF THE LIVING QUARTERS, THERE ARE OPEN 4" CLEAN OUTS AND OPEN
AND MISSING VENT PIPES THAT ALLOW THIS TOXIC SEWER GAS TO
POOR IN TO THE INDOOR ATMOSPHERE POISONING BOTH STAFF
AND OFFENDERS, YET AGAIN "NO ONE CARES"...

YOUR MAINTENANCE DEPARTMENT DID NOT FIX THE BOILER, THEY KICKED IT DOWN THE ROAD AND A DOC ATE IT. I'M NOT TRYING TO BE FUNNY, IT'S GOING TO TAKE A LOT OF MONEY AND A LOT OF TIME TO BRING THIS FACILITY BACK IN TO COMPLIANCE. YOU CANNOT CONTINUE KICKING THIS CAN DOWN THE ROAD AND YOU CANNOT CONTINUE FORCING US TO LIVE IN THESE THIRD WORLD CONDITIONS. OUR RIGHT SIDE REST ROOM HAS "NO" SHOWER, "NO" TOILETS AND "NO" URINALS, WE HAVE NO RESPIRATOR SLOWDOWN AND YOUR FIRE HOSE REELS DO NOT MEET THE MINIMUM 1 1/2" FIRE RATED HOSE STANDARD. THEY FAIL: MAY 29, 2020

Action Requested to resolve your Complaint.
T.D.C.U. GRAVURE SYSTEM PROGRAM, BRUCE T.C.E.O. AND WALKER COUNTY BLDG. INSPECTOR TO VIEW THIS THIRD WORLD FACILITY.

Offender Signature: [Signature] Date: 5-24-24

Grievance Response: THE ENTIRE FACILITY IS IN HORRIBLE DEPLORABLE THIRD WORLD CONDITION AND NEEDS TO BE SHUT DOWN FOR SAFETY, HEALTH & ENVIRONMENTAL REASONS.

Your grievance has been investigated. Maintenance has conducted a thorough inspection of the bathroom area in C4 dormitory. Several of the deficiencies have been repaired and maintenance is aware of other pending work orders and are doing everything they can to fix them expeditiously. Assigned dorm janitors are tasked with alleviating water removal from dorm floor. Your grievance has been addressed and no further action is warranted at this time.

Asst. Warden L. Ashworth IT IS NOT THE DORM JANITORS JOB TO SPEND ALL DAY MOPING SPIT WATER EVERY DAY

Signature Authority: L. Ashworth Date: 7/10/24

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Grievance #: _____	
Screening Criteria Used: _____	
Date Recd from Offender: _____	
Date Returned to Offender: _____	
2 nd Submission	UGI Initials: _____
Grievance #: _____	
Screening Criteria Used: _____	
Date Recd from Offender: _____	
Date Returned to Offender: _____	
3 rd Submission	UGI Initials: _____
Grievance #: _____	
Screening Criteria Used: _____	
Date Recd from Offender: _____	
Date Returned to Offender: _____	



SCREENED BY CSO
NOV 26 2024

HONORABLE ROBERT PITMAN
U.S. DISTRICT COURT JUDGE
501 WEST 5TH ST. SUITE 5300
AUSTIN, TEXAS 78701

RECEIVED

NOV 26 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

RICHARD CHUBA # 2498581

CHOICE MORTGAGE INVESTMENT

1700 NORTH FM 87

BONHAM, TEXAS 75418

1:23-cv-1004-RP

7870133813 0006

